

Our Ref: FoI/Req/16/208
Mr Ken Foxe

13 February 2017

Dear Mr. Foxe,

I refer to the request which you have made under the Freedom of Information Act 2014 for access to records held by this Department, as follows:

Copies of the full most recent inspection reports for embassies/residences at the following locations: Tokyo, New Delhi, New York, Singapore, Geneva, Helsinki and Warsaw.

I refer also to the acknowledgement of your request which was sent to you on 22 December 2016.

Schedule of Records

I have identified 8 records that fall within the scope of your request. The records are listed in the schedule attached.

Findings, particulars and reasons for decisions to deny access

The Department's Strategy and Performance Unit has responsibility, as directed by the Management Board, for periodically reviewing the performance at the Department's Missions abroad. Mission Reviews (formally Inspections) provide an assessment of the performance of Missions in delivering on the Department's High Level Goals and make recommendations for the consideration of the Management Board to address any issues arising and promote best practice.

I have made a decision to part-grant the 8 records you have requested. It should be noted that the records in question date from as early as 2003 (up to 2014). Therefore information contained in them, including for example in relation to office premises or residences or staffing levels, may no longer reflect current arrangements.

A number of redactions have been made to the Inspection Reports to which you have requested access. Where access has been refused, the records are exempt from release under the following sections of the Act, as follows:

- Records which might prejudice the effectiveness of the inspection process, have a significant, adverse effect on the management of the Department, or prejudice

negotiations carried out by the Department have been removed under Section 30.1.a, Section 30.1.b and Section 30.1.c of the Act.

- Records which might prejudice or impair the security of a building or endanger the life or safety of any person have been redacted under Section 32.1.a of the Act.
- Records which might adversely affect the security of the State or the international relations of the State have been removed under Section 33.1.c and Section 33.1.d of the Act.
- Records which contain information given to the Department on the understanding that it would be treated as confidential, and where it is important that the Department continue to receive such information but may no longer do so if we were to disclose it, have been removed under Section 35.1.a of the Act.
- Records which could prejudice the competitive position or negotiations of Irish firms or others have been removed under Section 36.1.b and 36.1.c of the Act.
- Records which would involve the disclosure of personal information have been removed under Section 37.1 of the Act.
- Records which could reasonably be expected to have a serious, adverse effect on the financial interests of the State or to have a negative impact on the industrial development strategy of the State have been removed under Section 40.1.a and 40.1.c of the Act.

In relation to the redactions made under Sections 30, 32, 35, 36, 37, and 40 of the Act, I have considered whether the public interest would be better served by releasing the records in question. Some of the factors I have considered include the right of access to information generally, contribution to the public debate, promoting understanding of the Department's work, and transparency around decision making processes. I am satisfied that, on balance, the reasons set out under the related Sections of the Act, that the public interest is best served by refusing access rather than granting it.

In relation to redactions made pursuant to Sections 30, 32, 33 and 40, I have considered the possibility and likelihood that the release of redacted records could result in negative consequences, and their likely severity. On balance, I am satisfied that the release of the records in question could incur significant, adverse consequences, as set out in the relevant Sections of the Act.

3. Right of Appeal

Should you wish to appeal this decision, you may do so in writing to the Freedom of Information Unit, Department of Foreign Affairs and Trade, 76-78 Harcourt Street, Dublin 2 or by email to foi@dfat.ie. A fee applies for an appeal for access to non-personal information; the level of this fee has been set at €30. For methods of payment, please contact FOI Unit at foi@dfat.ie, or 01-4082857.

You should make your appeal within 4 weeks (20 working days) from the date of this notification. However, the making of a late appeal may be permitted in appropriate circumstances. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this Department.

Yours sincerely,

Olivia Leslie
Strategy and Performance Unit
Department of Foreign Affairs and Trade
